

**To:** Rodriguez, Dante[Rodriguez.Dante@epa.gov]  
**From:** Jeryl Gardner  
**Sent:** Tue 3/7/2017 6:03:28 PM  
**Subject:** RE: NDEP-EPA/BLM monthly 3/6/17 - Dante's notes  
removed.txt

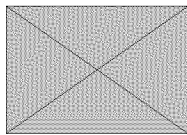
.....  
Dante, we are on the RI/FS call.

You calling in shortly?

Jeryl R. Gardner, P.E., C.E.M.

Abandoned Mine Lands Program Manager

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**From:** Rodriguez, Dante [mailto:Rodriguez.Dante@epa.gov]  
**Sent:** Monday, March 6, 2017 4:41 PM  
**To:** Jeryl Gardner; Dave Davis (drdavis@blm.gov); Seter, David  
**Subject:** NDEP-EPA/BLM monthly 3/6/17 - Dante's notes

***ENFORCEMENT CONFIDENTIAL***

ANACONDA SUPERFUND SITE

**MONTHLY STATUS MEETING: NDEP-EPA/BLM**

**DATE: 3/6/17**

**PARTICIPANTS:** Dave Seter (EPA), Dante Rodriguez (EPA)

Jeryl Gardner (NDEP), Dave Davis (BLM)

Confidential information in purple or light purple.

Updates in blue and purple.

Previous periods' information in gray or light purple.

**OU0. SITEWIDE:**

∇ **NPL Listing.**

○ ARC deferral proposal. BP met with EPA RA 1/26 re: Anaconda and Leviathon. NDEP, BLM and ARC met with EPA in SF 1/31.

ℳ Draft deferral agreement between EPA and State, from NDEP for review, our response should incorporate R10 requirements, things like full characterization, enforceable agreement between state and ARC, NR trustees, document as a response to NDEP's draft deferral agreement. Removed listing package from HQ process for listing in March. In EPA court.

ℳ NDEP has memo of understanding with tribes, plans to talk with tribes. Tribes informed state that they expected to be part of discussion by now, do not concur on delay of listing. State drafted consultation letter. Jeryl: Greg spoke with YPT last Friday, invited to address council (WRPT too) this week.

ℳ Angeles spoke with tribes, informed of delay in listing. Harry/Angeles met with tribal chairs, they weren't happy that they haven't been consulted, Angeles to speak with YPT council March 8, WRPT on March 9. Sarah: should bring Peggy's group into loop too. Angeles/Harry and Greg/Jeff, DD, meeting with tribal councils later this week, pre-meeting call tomorrow.

ℳ Complaint from DOI Solicitor about keeping them informed of NPL deferral actions, Jim to inform them, copy our NDEP message, BIA and FWS.

ℳ Attorneys working on past costs. EPA counsel to coordinate with DOI Solicitor.

○ Public comments. Eugenia working on responsiveness summary, incorporate staff input to outstanding questions, will wrap it up then hold it. Dave to review proposed responses specified by Eugenia.

∇ **Community Involvement.**

○ CIP. Draft, EPA team reviewed, Sarah hasn't shared with workgroup yet, awaiting direction re: deferral before moving along, on hold now.

∇ **SharePoint Site**. Jeryl: CBI reaching out to TT regarding issue with new site, documents are not in order chronologically so it is hard to find things. See if TT can get a data report out of their system that provides document dates. CBI did receive data file, document dates, will be able to add to new SP site and sort chronologically.

∇ **Cost Recovery**. Summary update being prepared by Elaine Chan, need for negotiating costs with ARC, awaiting, it is late.

∇ **Other/General.**

○ Dante to update Sitewide gantt chart. Dante updated Gantt chart, needs to send it out.

## **OU1. Groundwater:**

### **∇ Remedial Investigation.**

○ **Background.** Dave approved. Tribe comments on plume stability (movement), see below. Jack asked for approval letter, Dave sent.

○ **RI Report.** B&C to complete. Jack reports write up is well along, has to check with Greg Davis on timing. Plume stability still a work in progress, if try to include in RI it may delay submittal so looking at having it come later. Current schedule April 3 for submittal, unlikely. Jack to give me update on schedule.

∇ **Plume Stability.** Dave requested technical meeting to discuss with ARC. Modeling effort. Dave: YPT white paper, technical meeting, Dave will prepare presentation, trends analysis. Won't be part of RI report, will be in-between RI and FS.

∇ **Feasibility Study.** Dave: awaiting direction of deferral before having ARC proceed.

∇ **Risk Assessment.** Don't wait for OU3 final approval, start OU1 HHRA workplan, have tech calls instead of detailed tech memos, same approach as OU7, ARC agreeable, approval of workplan would be key necessary agency approval before proceeding, don't need interim approvals.

∇ **Bottled water.** Outreach to tribe needed before stop bottled water program. EPA will wait until RI final before make decision about tribe's bottled water. EPA received correspondence from ARC, haven't responded. Need to work with ARC to strategize dealing with well owners who are not connected to city water. ARC provided information about who is connected and who is not etc., ready to discuss. Dave: EPA waits formal request from ARC, pursuant to EPA Order.

## **OU3. Process Area:**

∇ **Remedial Investigation.** Report reviewed, final comments from NDEP/BLM expected by late-Feb or mid-March, NDEP doesn't anticipate significant comments, received comments from Hill and BLM, Dave will review Hill comments end of March, awaiting tribe, working to get their grant in place. Jeryl: end of March for his review and comment.

### **∇ Risk Assessment.**

○ **HHRA workplan.** Chris moved off project, DaveS took over, workplan prepared, will distribute to tribes after new grant in place, maybe end of April, no time now to address, looking at end May for submitting comments to ARC.

○ **HHRA.** Chris anticipated draft this winter. Revise schedule.

∇ **FS/PP/ROD.** Complete RI and HHRA, de-prioritize FS.

#### **OU4a. Evaporation Ponds:**

▽ **Data Results.** ARC reviewing draft DSR, to agencies early March, BC will be available for questions on DSR, will be involved with data evaluation but it will heavily involve new team, data evaluation in separate document. Get update from Jack.

#### **OU7. Wabuska Drain:**

▽ **Phase 1.** DSR and data evaluation discussed at 1/31 technical meeting, EPA agreed Phase 1 data is sufficient and can proceed with HHRA/ERA, Dante to do approval letter/email to that effect; CBI submitted written comments, YPT to submit written comments, EPA to submit comments and letter re: ARC position that no further work is required, include followup analyses to discuss with ARC to feed into RI. EPA to have Hill scope further sampling outside Phase 1 and YPT. Dante will request slides that AECOM presented from Jack, they can just mark draft. Jeryl: add bullets to gantt chart to include comments on report, ARC responses, etc. Dante: need to strategize the steps needed to get from here to RI and HHRA, then add to Gantt chart.

#### ▽ **YPT sampling.**

##### ○ SAP/QAPP.

¶ EPA QAMS approved, awaiting signed version from McGinnis, to add EPA signature.

¶ **Peer Review.** Reviewed by CBI, NDEP, BLM, ARC. Comments from ARC, McGinnis recommended to client to do RTC and revise document. QAMS reviewed ARC comments, reiterated acceptance of YPT QAPP. EPA to do letter response to ARC comment.

##### ○ EPA lab/CLP. Services being coordinated, analytical and data validation.

○ **Field work.** Dietrick mobilized February, CBI observed field work. ARC questions about sampling strategy, did Dietrick provide? Dante recalls QAPP was also SAP. Dante can focus on OU7 after ROD review, address these questions. Two more days field work needed, delayed from last week due to snow on ground.

▽ **HHRA/ERA Scoping.** ARC questioned how to include YPT sampling results in HHRA. EPA wants to proceed with HHRA for Phase 1 area, ARC will meet with team and get back to us, can have a call to discuss. Team for HRA scoping, Cynthia Woo in SF office, or Mark Weisberg, Alma asked about using Cynthia, early decisions on exposure pathways is critical, Sophia Serda has been involved in Carson River, maybe use her, and we have Ned Black for eco. Ask Jack to start.

▽ **Further Sampling.** Dante to have Hill scope potential sampling in rest of drain, after do the comments.

▽ **Other Components.** EPA plan to do strategy for peripheral components, rail spur, Weber

Reservoir, also sulfur studies applicable to both OU7 and OU1/OU8, do one sampling plan for all. Hill to do planning but not field work, got pipeline money, being obligated. Jeryl recommends separating some of these issues in correspondence with ARC, separate drain investigation, peripheral components/rail, and Weber Reservoir. Look for ways to move forward on RI without bogging down.

○ **Peripheral Components.** ARC had not included in SAP but Jack said could add on, have someone recon, do an addendum to SAP, not connected to rail spur.

○ **Rail Spur.** EPA will have Hill prepare SAP, offer to let ARC do sampling before EPA proceeds with conducting. Note Thompson Smelter is there too, rail spur not just used for Anaconda mine, area-wide usage, Arimetco had parcel there too. Got money to have Hill scope investigation (also OU8 groundwater investigation scoping). Jeryl: why not have ARC do? Dante: EPA will give ARC opportunity to conduct work as scoped, if they refuse we can enforce order or do ourselves and bill them.

○ **Weber Reservoir.** Dante will have CBI review USGS report, ARC will have team ready to discuss.

▽ **Geothermal spill.** State levied fines. Dante uploaded files to Sharepoint.

### **OU8. Arimetco:**

▽ **Public Meeting, Consultations.** Conducted public meeting on 12/12, WRPT Consultation 12/13, YPT on 12/14. Dante drafted letters, sent to Harry and Sarah for review, awaiting review.

▽ **RRRT.** Regional Remedy Review Team, reviews remedies between \$25-50M, conducted our review, Dante drafted memo to HQ, gave Harry/Jim and Lyons/Chesnutt for review, Harry/Jim reviewed and had no comments. Dante: follow-up discussion with management scheduled.

▽ **ROD.** Draft ROD being reviewed by section chiefs, counsel, CI at EPA/NDEP/BLM, due by 3/3. Jim/Harry out, will need extra week, til 3/10, send to HQ review 3/15. May need CBI assistance in responding to comments, stay tuned, week after next. DaveD submitted comments from Nathalie. Jeryl: Greg/Jeff should submit this week. Dante: Harry comment about ICs. Jeryl: sounds good, caveat for remining needed. Jeryl: ok to use “interim” term.

▽ **Responsiveness Summary.** Being reviewed by section chiefs, counsel, CI at agencies, along with ROD, same timing. Jeryl: Jeff had no comments on it, good job.

▽ **Enhanced Evaporation.** SPS pilot test, final report. McGinnis requested the EE pilot monthly reports, Dante will post on SP.

▽ **Water Balance model.** Updates underway, Jack reported work in progress, incorporating dissolved solid data into model, stay tuned in coming weeks.

∇ **Groundwater contribution.** CBI and Hill are evaluating heaps, composition, leachability, isotropic analysis, have preliminary data, compare to groundwater data. Tech memo forthcoming from CBI and Hill. Interrelated with OU7 scoping task for Hill, we will also have them scope and write FSP for investigations of OU8 contribution to groundwater. Dave: asking ARC for sulfur isotopic data that they referenced in background, wasn't in our dbase, to provide to CBI, might need ORC to help get it.

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**Dante Rodriguez**

Remedial Project Manager

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